

“The biological opinions restricting the flow of water to the Valley are flawed and must be reformed,” said Costa. “Until then, the pumps should operate at the highest levels so our Valley receives as much water as possible. Every acre-foot of water is valuable and contributes to the economic health of our region.”

Currently, stored water is being released from Shasta Reservoir, because the reservoir is nearly full, and storage capacity is needed for flood protection. However, this water cannot be rediverted downstream in the Delta due to pumping restrictions imposed under the biological opinion issued by NMFS in June of 2009. As a result, tens of thousands of acre-feet of water are now flowing into the ocean. Flexibility in implementation of the NMFS biological opinion would allow more of this sorely needed water to reach the Valley.

At the urging of Congressmen Costa and Cardoza, the Department of the Interior has already been more flexible in implementing the 2008 Fish & Wildlife Service biological opinion for Delta smelt, which allowed more water to be moved south of the Delta from January through March of this year. It is critical, especially with over 100% snowpack in the Sierras, that the Commerce Department demonstrate similar flexibility. The time to act is now, while the water can be used productively.

Costa and Cardoza have long spoken out against the flawed biological opinions restricting water for the Valley. To address this issue, Costa and Cardoza introduced legislation, H.R. 3999, to force the Bureau of Reclamation to “re-consult” on the two biological opinions under the Endangered Species Act so that the stressors like dumping sewage and non-native species are taken into account and more water flows to the Valley.

The letter, signed by Congressmen Costa and Cardoza as well as Senator Feinstein, can be found [here](#) .